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General Administration Department

Notification

14th January 2021

No-7/Ashta.-04-14/2016-676/GAD—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, as amended from time to time, the Governor of Bihar is pleased to make the following Rules in consultation with the High Court of Judicature at Patna, Bihar to regulate the conduct of Judicial Officers, as follows—

1. Short title, commencement and application. —

- (1) These Rules may be called the Bihar Judicial Officers Conduct Rules, 2021.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- (3) These Rules shall apply to every Judicial Officer appointed to any Judicial Service under the control of the High Court of Judicature at Patna in connection with the affairs of the State of Bihar and are subject to the rule making powers of the Government.
- (4) These Rules are also applicable to an employee whose services are placed at the disposal of a company, corporation, organization or local authority by the High Court of Judicature at Patna, notwithstanding that his salary is drawn from a source other than the Consolidated Fund of Bihar.

2. Definitions — In these Rules, unless the context otherwise requires, -

(a) “Government” means

- (i) in the case of a Judicial Officer whose services have been placed at the disposal of the Government of India, the Government of India;

- (ii) in the case of a Judicial Officer whose services have been placed at the disposal of the Government of another State, the Government of that State;
- (iii) in all other cases, the Government of Bihar.
- (b) “**High Court**” means the High Court of Judicature at Patna.
- (c) “**Judicial Officer**” means any person appointed to serve as a Judicial Officer and in respect of whom the Governor of Bihar is empowered to make Rules under Article 309 of the Constitution of India, and includes a Judicial Officer who is, for the time being, serving in connection with the affairs of the Government of India or any other State or any other High Court or is on leave.
- (d) “**Family member**” in relation to a Judicial Officer means –
 - (1) The spouse of the Judicial Officer, whether residing with the Judicial Officer or not, but does not include a spouse who is separated from the Judicial Officer by a decree or order of a competent court.
 - (2) A son or daughter or step-son or step-daughter of the Judicial Officer who is wholly dependent on him, but does not include a child or step-child whose custody the Judicial Officer has been deprived of by or under any law.
 - (3) A blood relative of the Judicial Officer or of his spouse, who is wholly dependent on the Judicial Officer.

3. General — (1) *Every Judicial Officer shall at all times –*

- (i) maintain absolute integrity;
- (ii) maintain devotion to duty; and
- (iii) conduct himself in a manner which is becoming of a Judicial Officer.
- (2) Every Judicial Officer holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Judicial Officers under his control and authority.
- (3) No Judicial Officer shall in the performance of his official duties or in the exercise of power conferred on him, act otherwise than in his best judgment except when acting under the direction of an official superior. Where he is acting under such direction, he shall, wherever practicable, obtain directions in writing before acting, and where this is not practicable, he shall obtain written confirmation of the directions as soon thereafter as possible.

Explanation.— Nothing in sub-rule (3) of rule 3 shall be construed as empowering a Judicial Officer to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

4. Prohibition against sexual harassment.—

- (i) No Judicial Officer shall indulge in any act of sexual harassment at the work place.
- (ii) Every government employee who is in charge of a work place shall take appropriate steps to prevent sexual harassment at the work place.

Explanation – For the purpose of this rule, sexual harassment shall include the following acts (whether direct or otherwise) –

- (a) physical contact and advances involving unwelcome and explicit sexual overtures;

- (b) demand or request for sexual favours;
- (c) sexually coloured remarks;
- (d) showing pornography; or
- (e) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

5. Consumption of intoxicating drinks or drugs .— (1) No Judicial Officer shall –

- (i) while on duty, be under the influence of intoxicating drinks or drugs to such an extent as to render him incapable of discharging his duties properly and efficiently;
- (ii) habitually use intoxicating drinks or drugs in excess;
- (iii) appear in a public place in a state of intoxication; or
- (iv) consume any intoxicating drink or drug in a public place.

Explanation.— For the purpose of this rule, public place means any place or premises (including conveyance) to which the public have, or are permitted to have, access, whether on payment or otherwise.

- (2) Every Judicial Officer shall strictly abide by all laws relating to intoxicating drinks or drugs in force in any area in which he may happen to be posted or visiting for the time being.

6. Prohibition against use of personal influence by a Judicial Officer in securing employment for his family member .—

- (1) No Judicial Officer shall use his position or influence, directly or indirectly, to secure employment for a family member in any private undertaking with which he has, or has had, official dealing, or in any undertaking having, or in one which has had, official dealing with the High Court, the subordinate judiciary or the Government.
- (2) No Judicial Officer shall, except with the prior sanction of the High Court, permit a family member to accept employment in any private undertaking with which he has, or has had, official dealing, or in any undertaking having, or in one which has had, official dealing with the High Court, the subordinate judiciary or the Government.
Provided that where the acceptance of any employment cannot await the prior sanction of the High Court, the employment may be accepted provisionally subject to sanction of the High Court, and the matter reported to the High Court without delay.
- (3) If a family member of a Judicial Officer accepts any employment referred to in sub-rule (2) above even after the High Court has refused permission, the Judicial Officer shall make a report to that effect to the High Court, also intimating the nature of his official dealings with that undertaking.
- (4) (a) No Judicial Officer shall, in the discharge of his official duties, award any contract in favour of an undertaking or person, which or who employs his family member, or is an undertaking in which or a person in whom he or his family member is interested in any manner, or deal with any matter relating thereto.
(b) If a situation referred to in clause (a) above is likely to arise, the Judicial Officer shall refer the matter to his superior officer and the matter shall thereafter be disposed of according to the instructions of the superior officer.

7. Participating in politics and elections .—

- (1) No Judicial Officer shall be a member of, or be otherwise associated with, any political party or any organization that takes part in politics, nor shall he take part in, subscribe in aid of or assist in any other manner, any political movement or activity.
- (2) It shall be the duty of every Judicial Officer to endeavour to prevent his family members from being a member of any party which is or tends, directly or indirectly, to be subversive of the Government, or taking part in, subscribing in aid of or assisting in any other manner, any movement of such nature; and where a Judicial Officer is unable to prevent a member of his family from doing so, he shall make a report to that effect to the High Court without delay.
- (3) If any question arises as to whether any movement or activity falls within the scope of sub-rule (2), the decision of the High Court in this respect shall be final.
- (4) No Judicial Officer shall canvass or otherwise interfere with or use his influence in connection with or take part in an election to any legislature or local authority;

Provided that -

- (i) a Judicial Officer qualified to vote at such election may exercise his right to vote; but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
- (ii) a Judicial Officer shall not be deemed to have contravened the provision of this sub-rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

Explanation.—The display by a Judicial Officer on his person, vehicle or residence, of any electoral symbol shall amount to using his influence in connection with an election, within the meaning of this sub-rule.

8. Membership of an Association.— No Judicial Officer shall join, or continue to be a member of, an association, the objects or activities of which are prejudicial to the sovereignty and integrity of India or to public order or morality.

9. Demonstration and Strikes.— No Judicial Officer shall –

- (i) engage or participate in any demonstration which is prejudicial to the sovereignty and integrity of India, the security of the State, friendly relations with any foreign State, public order, decency or morality, or one which involves contempt of court, defamation, or incitement to commission of an offence; or
- (ii) resort to, or in any way abet, any form of strike or coercion or physical duress in connection with any matter pertaining to his service or the service of any other Judicial Officer.

10. Links with Press, Radio or Electronic Media.—

- (1) No Judicial Officer shall, whether by himself or through a family member or through any other person, except with prior sanction of the High Court, or except in the bona fide discharge of his duties–
 - (a) own, wholly or in part, any newspaper or other online or physical periodical or publication; or conduct or participate in any form or manner in the editing or management of the same, nor permit a family member to do so;

- (b) publish a book or other physical or online publication including periodicals, or contribute an article or articles to the same, nor permit a family member to do so.
- (c) participate in a stage, television, radio or web programme, or similar; or contribute to or write a letter to a newspaper or periodical, either in his own name or anonymously or under an assumed name, nor permit a family member to do so.

Provided that no such sanction shall be required -

- (i) if the newspaper or periodical in terms of clause (1) is of a purely literary, artistic, scientific or educational character; or
 - (ii) if the publication in terms of clause (2) is of a purely literary, artistic, scientific or educational character; or
 - (iii) if the broadcast, performance, contribution, or writing in terms of clause (3) is of a purely literary, artistic, scientific or educational character.
- (2) Where a Judicial Officer is unable to prevent a member of his family from participating in the activities mentioned in sub-section (1), he shall make a report to that effect to the High Court without delay.

11. Criticism of the Government or of the High Court .— No Judicial Officer shall, in any broadcast or in any public utterance, or in any published document or in any communication to the press, in his own name, anonymously, or under a pseudonym, make, or permit his family member to make, any statement on fact or express an opinion –

- (i) which has the effect of an adverse criticism of a current or recent policy or action of the Government or of the High Court; or
- (ii) which is capable of embarrassing the relations between the Government of India and the Government of any State; or
- (iii) which is capable of embarrassing the relations between the Government of India and the Government of any foreign State;

Provided that nothing in this rule shall apply to any statements made or views expressed by a Judicial Officer in his official capacity or in the due performance of the duties assigned to him.

12. Evidence before committee or any other authority .—

- (1) Save as provided in sub-rule (3), no Judicial Officer shall, except with prior sanction of the High Court, give evidence in connection with an enquiry conducted by any person, committee or authority.
- (2) Where sanction has been accorded under sub-rule (1), no Judicial Officer giving such evidence shall criticize any policy or action of the Central Government or of a State Government or of the High Court.
- (3) Nothing in this rule shall apply to evidence given by a Judicial Officer -
 - (a) in the course of an enquiry before an authority appointed by the Government or by Parliament or by a State Legislature or by the High Court; or
 - (b) in a judicial enquiry; or
 - (c) in a departmental enquiry ordered by an authority subordinate to the Government or the High Court.

13. Communication with the High Court.—

- (1) No Judicial Officer shall communicate with the High Court or any of its Judges except through the Registrar General and in accordance with the instructions in this regard issued by the High Court from time to time,

unless otherwise directed by the High Court or any of its Judges, or if it is necessary in the ordinary course of discharge of his duties.

- (2) No Judicial Officer shall, except in accordance with any general or special order of the High Court or in good faith in the performance of duties assigned to him, communicate, directly or indirectly, the contents of an official document or a part thereof or other information, to another Judicial Officer or to a person to whom he is not authorized to communicate the contents of such document or information.

Explanation.— A quotation by a Judicial Officer in his explanation, representation, appeal, or memorial, etc. addressed to the High Court from a letter, circular, office memorandum or notes on a file which he is not authorized to access, or which he is not authorized to keep in his personal custody or for his personal purposes, shall amount to an unauthorized communication of information within the meaning of this rule.

14. Subscriptions.— No Judicial Officer shall, except with prior sanction of the High Court, or except in the bona fide discharge of his duties, ask for or accept contributions to, or otherwise associate himself with, any fund or other collection in cash or in kind in pursuance of any object whatsoever.

15. Gifts. —

- (1) Save as otherwise provided in these Rules, no Judicial Officer shall, except with prior sanction of the High Court, accept, or permit his family member or another person acting on his behalf to accept, a gift.

Explanation.— For the purpose of this Rule, “gift” includes free transport, free boarding, free lodging or any other service or pecuniary advantage when provided by a person other than a close relative or personal friend having no official dealing with the Judicial Officer, but does not include a casual meal, casual gift or other social hospitality of an aggregate value upto Rs. five thousand during a calendar year.

- (2) On occasions such as weddings, anniversaries, funerals, and religious functions, when the accepting of gifts is in conformity with the prevailing social or religious practices, a Judicial Officer may accept gifts from his close relatives but he shall make a report to the High Court wherever the aggregate value of the gift exceeds Rs. twenty thousand during a calendar year.
- (3) On occasions referred to in sub-rule (2), a Judicial Officer may accept gifts from his personal friends having no official dealings with him, but he shall make a report to the High Court wherever the aggregate value of the gifts exceeds Rs. ten thousand during a calendar year.
- (4) In any other case, a Judicial Officer shall not accept a gift without prior sanction of the High Court wherever the aggregate value of the gift exceeds Rs. five thousand during a calendar year.

Provided that where it is not practicable for a Judicial Officer to obtain prior sanction of the High Court, he shall, within one month of acceptance of the gift, make a report to the High Court stating the circumstances in which such gift was accepted, and if the High Court does not approve of such acceptance, he shall return the gift to the donor.

- (5) Notwithstanding anything contained in sub-rules (2), (3) and (4), a Judicial Officer, as member of an Indian delegation, may receive and retain gifts from foreign dignitaries if the aggregate market value of such gifts received on one occasion does not exceed Rs. ten thousand. In all other

cases, the acceptance and retention of such gifts shall be regulated by instructions issued by the High Court in this regard from time to time.

Provided that a Judicial Officer shall not accept gifts from a foreign firm or from a person not of Indian origin, which or who has been, or is likely to be, a party to a litigation in his Court.

16. Public functions for honouring Judicial Officers.—

- (1) No Judicial Officer shall, except with prior sanction of the High Court, receive a complimentary or valedictory address or accept a testimonial or attend any meeting or function held in his honour, or in the honour of another Judicial Officer.

Provided that nothing in this rule shall apply to –

- (i) a welcome or a farewell function of a substantially private and informal character held in honour of a Judicial Officer on the occasion of his promotion or any other significant achievement, transfer, retirement or resignation from service; or
 - (ii) the acceptance of a simple and inexpensive entertainment arranged by a public body or institution.
- (2) No Judicial Officer shall induce another Judicial Officer or other person to contribute towards a farewell function even if it is of a substantially private and informal character.

17. Private trade or employment.—

- (1) No Judicial Officer shall, except with prior sanction of the High Court, engage directly or indirectly in a trade or business or accept an employment.

Provided that a Judicial Officer may undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character without such sanction, subject to the condition that –

- (i) he shall, within a period of one month of his undertaking such work, report to High Court with full details thereof;
- (ii) his official duties do not thereby suffer; and
- (iii) he shall discontinue such work, if so directed by the High Court.

Provided further that if the undertaking of such work involves holding of an elective office, he shall not seek election to such office without prior sanction of the High Court.

Explanation.— Canvassing by a Judicial Officer in support of a business owned or managed by his family member or in which they are associated in any manner shall be deemed to be a breach of this sub-rule.

- (2) A Judicial Officer shall report to the High Court if his family member engages in trade or business.
- (3) No Judicial Officer shall, without prior sanction of the High Court, take part in the registration, promotion or management of a Bank or of a company registered under the Companies Act, 2013 or any other law for the time being in force, or of a co-operative society, with profit as its primary object, except in the discharge of his official duties.

Provided that a Judicial Officer may take part in the registration, promotion or management of a co-operative society, the main object of which is the benefit of Judicial Officers and is

registered under the Co-operative Societies Act, 1912 (II of 1912) or any other law for the time being in force; or is a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (XXI of 1860) or any other law for the time being in force, subject to the following conditions, namely –

- (i) he shall, within a period of one month of his undertaking such work, report to the High Court with full details thereof;
- (ii) his official duties do not thereby suffer; and
- (iii) he shall discontinue such work if so directed by the High Court.

Provided further that if the undertaking of such work involves holding of an elective office, he shall not seek election to such office without prior sanction of the High Court.

Explanation.—Canvassing for a candidate or candidates for an elective office referred to in the second proviso shall be deemed to be a breach of this sub-rule.

- (4) No Judicial Officer shall hold a lottery or auction for the disposal of his property or for any other purpose, except with prior sanction of the High Court.
- (5) No Judicial Officer may accept a fee for work done by him for a public body or a private person, without prior sanction of the High Court.

18. Investments, lending and borrowing.—

- (1) No Judicial Officer shall speculate in stocks, shares or other investments.

Explanation.—Frequent purchase and sale of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.

- (2) No Judicial Officer shall make or permit his family member or a person acting on his behalf to make an investment which is likely to embarrass or influence him in the discharge of his official duties and where a Judicial Officer is unable to prevent such investment, he shall make a report to that effect to the High Court without delay.
- (3) If a question arises whether any transaction is of the nature referred to in sub-rule (1) or sub-rule (2), the decision of the High Court thereon shall be final.

- (4) No Judicial Officer shall, except with prior sanction of the High Court, lend money to a person possessing land or valuable property within the local limits of his authority, or to any other person on interest;

Explanation.—A Judicial Officer may make an advance payment out of the monthly salary payable to his private servant; or advance an interest free loan of a small amount to a personal friend or relative, even if such person possesses land or valuable property within the local limits of his authority.

- (5)(a) No Judicial Officer shall, whether as principal or agent, by himself, through his family member or another person, and except in the ordinary course of business with a bank or a public limited company –
 - (i) lend to, borrow from, or deposit money with, an individual, firm or private limited company within the local limits of his authority, or with whom or which he is likely to have official dealing, or

- (ii) place himself under pecuniary obligation to an individual, firm or private limited company; or

Provided that a Judicial Officer may give to, or accept from, a close relative or a personal friend, a temporary loan of a small amount free of interest; operate a credit account with a tradesman for his bona fide purchases; or make an advance payment to his private employee.

Provided further that nothing in this sub-rule shall apply with respect to a transaction entered into by a Judicial Officer with prior sanction of the High Court.

- (b) No Judicial Officer shall, except with prior sanction of the High Court, permit his family member to enter into any transaction of the nature referred to in clause (a), and where a Judicial Officer is unable to prevent such transaction, he shall make a report to that effect to the High Court without delay.
- (6) When a Judicial Officer is appointed or transferred to a post which results in breach of any of the provisions of sub-rule (4) or sub-rule (5), he shall forthwith report the circumstances to the High Court and shall thereafter act in accordance with such instructions as may be issued by High Court.

19. Uniform and dress code.— A Judicial Officer shall be appropriately dressed and attend Court in clean and ironed clothes as follows –

- (a) Male Judicial Officers shall wear
 - a black buttoned-up coat or an open breasted coat or a chapkan or an achkan or a sherwani; and
 - a white shirt with a stiff or soft white collar; and
 - white bands; and
 - an advocates' gown; and
 - either long trousers which may be black, grey, white, or black and white stripes; or a white dhoti; and
 - black shoes
- (b) Women Judicial Officers shall wear
 - a black full sleeve jacket or coat with a white collar which may be stiff or soft; and
 - white bands; and
 - an advocates' gown; and
 - black shoes or simple black sandals; and
 - any one of the following in white, black, or white and black, and of sober print and design –
 - (i) blouse or shirt with or without a collar; and
 - saree or long skirts or flares
 - (ii) churidar kurta or salwar-kurta
 - (iii) any traditional dress
- (c) ceremonial dress

20. Insolvency or habitual indebtedness.—

- (1) A Judicial Officer shall manage his private affairs in such manner as to avoid insolvency or habitual indebtedness.
- (2) A Judicial Officer against whom a legal proceeding is commenced for insolvency or for recovery of a debt due from him shall forthwith report the complete details in that regard to the High Court without delay.

21. Movable and immovable property within India.—

- (1) Every Judicial Officer shall, upon his first appointment to any service or post, and every year thereafter not later than by 28th/29th February, submit to the High Court a return of his assets and liabilities as on the preceding 31st December, in such form as may be prescribed by the High Court, with full particulars of the –
 - (a) immovable property owned, acquired or inherited by him, or held by him on lease or mortgage, either in his own name or in the name of his family member or in the name of another person;
 - (b) shares, debentures, mutual funds, bank deposits and other such investments owned, acquired or inherited by him or held by him in any manner, either in his own name or in the name of his family member or in the name of another person;
 - (c) other movable property owned, acquired or inherited by him or held by him in any manner, either in his own name or in the name of his family member or in the name of another person;
 - (d) debts and other liabilities, if any, incurred by him directly or indirectly.
- (2) No Judicial Officer shall, except with prior sanction of the High Court, acquire or dispose of immovable property through lease, mortgage, purchase or sale, gift, or otherwise, either in his own name or in the name of his family member.
 Provided that for the purpose of obtaining prior sanction, the Judicial Officer shall inform the High Court whether such transaction is proposed to be entered into –
 - (a) with a person having official dealings with the Judicial Officer, or
 - (b) otherwise than through a regular or reputed dealer.
 Provided further that upon such acquisition or disposal being made, the Judicial Officer shall send information along with details of such transaction to the High Court without delay.
- (3) A Judicial Officer shall send information along with details of each transaction of movable property, the value of which exceeds the aggregate of two months of his basic pay, to the High Court within one month of completion of such transaction.
- (4) The High Court may, at any time by general or special order, require a Judicial Officer to submit within a period specified in the order, a full and complete statement of movable or immovable property held or acquired or disposed of by him or on his behalf or by his family member as may be specified in the order, and such statement shall, if so required by the High Court, include details of the means by which or the source of funds out of which such property was acquired, or the destination of the consideration received upon disposal, as the case may be.

Explanation.— For the purpose of this sub-rule, the expression “movable property” includes –

- (a) jewellery, insurance policies - the annual premium of which exceeds Rs 30,000/-, shares, debentures, securities, mutual funds, etc.;
- (b) loans advanced by such Judicial Officer whether secured or not;
- (c) motor cars, motor cycles, and any other means of conveyance;
- (d) electronic devices and electrical appliances.

- (5) A Judicial Officer found in possession of pecuniary resources or property disproportionate to his known sources of income which he cannot satisfactorily account for, shall, unless the contrary is proved, be presumed to be guilty of grave misconduct in the discharge of his official duty and shall be liable for criminal action besides departmental proceedings.
- (6) The High Court, or an authority especially empowered by it in this behalf, may by an order in writing require a Judicial Officer to afford facilities for inspection and assessment of the value of lands or buildings or other immovable property held or acquired by him or on his behalf or by his family member, and failure to comply with such order shall be deemed to be grave official misconduct on the part of the concerned Judicial Officer.
- (7) The High Court may, in the event that a Judicial Officer fails to submit the return required under sub-rule (1) within time, by order direct that the salary of a Judicial Officer shall not be paid until he submits the return. Such failure will also be construed as grave misconduct in discharge of duty for which the Judicial Officer will be liable for departmental proceedings.

22. Movable and immovable property outside India and transactions with foreigners, etc.—No Judicial Officer shall, except with prior sanction of the High Court,

- (a) acquire by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of his family member, any immovable property situated outside India;
- (b) dispose of by sale, mortgage, gift or otherwise, or grant a lease in respect of immovable property situated outside India which was acquired or is held by him either in his own name or in the name of his family member;
- (c) enter into any transaction with a foreigner, foreign Government, foreign organization or foreign concern –
 - (i) for the acquisition of immovable property by purchase, mortgage, lease, gift or otherwise either in his own name or in the name of his family member;
 - (ii) for the disposal of immovable property by sale, mortgage, gift or otherwise, or the grant of a lease in respect of immovable property which was acquired or is held by him either in his own name or in the name of his family member.

23. Vindication of acts and character of Judicial Officer.— No Judicial Officer shall, except with prior sanction of the High Court, have recourse to a court or to the press for vindication of an official act which has been the subject-matter of adverse criticism or of an attack of defamatory nature.

Explanation.— Nothing in this rule shall be deemed to prohibit a Judicial Officer from vindicating his personal character or any act done by him in his private capacity.

Provided that the Judicial Officer shall submit a report to the High Court without delay where action has been taken by him.

24. Political or other external influence.— No Judicial Officer shall bring or attempt to bring political or other external influence upon a superior authority in furtherance of his own interests in respect of matters pertaining to his service under the High Court.

25. Marriage—

- (1) No Judicial Officer shall solemnise or contract a marriage with a person whose spouse is living.
- (2) No Judicial Officer, whose spouse is living, shall solemnise or contract a marriage with any person.

Provided that the High Court may permit a Judicial Officer to solemnise or contract a marriage referred to in sub-rule (1) or sub-rule (2) if it is satisfied that –

- (a) such marriage is permissible under the personal law applicable to such Judicial Officer and the other party to the marriage; and
 - (b) there are other grounds for so doing.
- (3) A Judicial Officer who intends to marry, or has married, a person other than of Indian nationality shall forthwith intimate the High Court in this regard.

26. Giving or taking of dowry.— No Judicial Officer shall give or take or abet the giving or taking of dowry.

Explanation.— ‘Dowry’ shall have the same meaning as defined under the Dowry Prohibition Act, 1961 as amended from time to time, but shall not include dower or mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies.

27. Interpretation.— Any question arising with respect to interpretation of these Rules shall be referred to the High Court whose decision thereon shall be final.

28. Delegation of power.— The High Court may, by general or special order and subject to such conditions as may be specified therein, direct that the powers exercisable by it under these Rules may be exercised by such officer or authority as may be specified in the order.

29. Repeal and savings.— The Bihar Judicial Officer's Conduct Rules, 2017 and The Bihar Government Servants Conduct Rules, 1976 (hereinafter referred to as ‘the said Rules’), are hereby repealed in so far as they relate to Judicial Officers of the State, and shall cease to be in force.

Provided that such repeal shall not affect –

- (a) anything done or suffered under the said Rules; or
- (b) a right or privilege acquired or accrued, or obligation or liability incurred, under the said Rules; or
- (c) a penalty or punishment incurred under the said Rules; or
- (d) an investigation, legal proceeding or remedy in respect of a right or privilege acquired or accrued, or obligation, liability, penalty or punishment incurred under the said Rules, which had been instituted under the said Rules; and any such investigation, legal proceeding or remedy may be continued or enforced and such penalty or punishment may be imposed as if the said Rules had not ceased to be in force.

By order of the Governor of Bihar,
GHUFRAN AHMAD,
Deputy Secretary to the Government.

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